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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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09/993,996

11/14/2001

Bernid Halbrock

65857-0037

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08/17/2005

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BLOOMFIELD HILLS, MI 48304-0610

EXAMINER

DUNWOODY, AARON M

ART UNIT

PAPER NUMBER

3679

DATE MAILED: 08/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 09/993,996 | Applicant(s) HALBROCK ET AL. | |
| | Examiner Aaron M. Dunwoody | Art Unit 3679 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 30-32 and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 5513882, Lewis.

In regards to claims 30 and 35, in Figure 3C, Lewis in view of Watson discloses a quick-connect device for connecting fluid lines comprising:

- a first connecting element (13) having a receptacle space positioned about a central axis and a wedge receiving opening;

- a seal (14) disposed within the receptacle space and around the aperture;

- a second connecting element (10) having a flange, wherein the flange has a planar sealing face opposite a wedge face, wherein the second connecting element selectively abuts the sealing face against the seal within the receptacle, and

- a wedge-clamping device (18) that has a first connecting element face (20) and a flange face, wherein the first connecting element face is at a non-parallel angle with respect to the flange face;

- wherein the wedge-clamping device is movably positioned in the wedge receiving opening and selectively abuts the flange face against the wedge face of the second connecting element;

wherein the wedge-clamping device selectively abuts the first connecting element face against a first defining face of the wedge receiving opening in the first connecting element, and the first connecting face is generally parallel to the first defining face;

wherein movement of the wedge within the wedge receiving opening in a first direction presses the flange face against the wedge face and presses the first connecting element face against the defining face to cause the sealing face to press against the seal;

wherein the wedge lockingly engages the first connecting element.

In regards to claim 31, Watson discloses the wedge clamping device being selectively moves along a non-parallel direction with respect to the central axis.

In regards to claim 32, Watson discloses the movement of the wedge clamping device causing the sealing face to move in a direction parallel to the central axis.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 33, 34 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis in view of US patent 1019000, Watson.

In regards to claims 33 and 34, Lewis discloses the claimed invention except for a second defining face that defines a second face of the wedge receiving opening,

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wherein the first defining face is at a non-parallel angle with respect to the second defining face; and the non-parallel angle between the first defining face and the second defining face being substantially the same as an angle between the first connecting element and the flange face. In Figures 1 and 6, Watson teaches a second defining face that defines a second face of the wedge receiving opening, wherein the first defining face is at a non-parallel angle with respect to the second defining face; and the non-parallel angle between the first defining face and the second defining face being substantially the same as an angle between the first connecting element and the flange face. As Watson relates to pipe couplings utilizing a wedge-clamping device, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a second defining face that defines a second face of the wedge receiving opening, wherein the first defining face is at a non-parallel angle with respect to the second defining face; and the non-parallel angle between the first defining face and the second defining face being substantially the same as an angle between the first connecting element and the flange face, since a change in the shape of a prior art device is a design consideration within the skill of the art. In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966).

In regards to claim 36, Lewis in view of Watson disclose a quick-connect device for connecting fluid lines comprising:

a first connecting element having a receptacle space positioned about a central axis and a wedge receiving opening;

a seal disposed within the receptacle space and around the aperture;

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a second connecting element having a flange, wherein the flange has a plane sealing face opposite a wedge face, wherein the second connecting element selectively abuts the sealing face against the seal within the receptacle, and

a wedge-clamping device that has a first connecting element face and a flange face, wherein the first connecting element face is at a non-parallel angle with respect to the flange face;

wherein the wedge-clamping device is movably positioned in the wedge receiving opening and selectively abuts the flange face against the wedge face of the second connecting element; wherein the wedge-clamping device selectively abuts the first connecting element face against a first defining face of the wedge receiving opening in the first connecting element when in an assembled state;

wherein movement of the wedge within the wedge receiving opening in a first direction presses the flange face against the wedge face and presses the first connecting element face against the defining face to cause the sealing face to press against the seal; wherein the wedge lockingly engages the first connecting element.

Response to Arguments

Applicant's arguments filed 6/15/2005 have been fully considered but they are not persuasive. The Applicant argues that teach the leading edge being generally parallel to the first defining face. The Examiner disagrees. Figure 7 of Lewis '882 illustrates the first connecting face being less than 45 degrees, or **generally parallel** to the first defining face (16) of Figure 2. Therefore, Lewis '882 meets the claim limitation.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, as Watson relates to pipe couplings utilizing a wedge-clamping device, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a second defining face that defines a second face of the wedge receiving opening, wherein the first defining face is at a non-parallel angle with respect to the second defining face; and the non-parallel angle between the first defining face and the second defining face being substantially the same as an angle between the first connecting element and the flange face, since a change in the shape of a prior art device is a design consideration within the skill of the art.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the


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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Dunwoody whose telephone number is 571-272-7080. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Aaron M Dunwoody
Primary Examiner
Art Unit 3679

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